

On page 3, strike line 23 and all that follows through page 4, line 6, and insert the following:

SEC. 3. PAYGO COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that

such statement has been submitted prior to the vote on passage.

The amendment was ordered to be engrossed and the bill read a third time.

The bill (H.R. 5281), as amended, was read the third time.

The assistant legislative clerk read as follows:

Mr. Conrad: This is the Statement of Budgetary Effects of PAYGO Legislation for H.R. 5281, as amended.

Total Budgetary Effects of H.R. 5281 for the 5-year Statutory PAYGO Scorecard: \$0.

Total Budgetary Effects of H.R. 5281 for the 10-year Statutory PAYGO Scorecard: \$0.

Also submitted for the RECORD as part of this statement is a table prepared by the Congressional Budget Office, which provides additional information on the budgetary effects of this Act, as follows:

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 5281, THE REMOVAL CLARIFICATION ACT OF 2010, WITH AMENDMENTS (HEN10A39) PROVIDED TO CBO ON DECEMBER 1, 2010

	By fiscal year, in millions of dollars—										
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2011–2015
Statutory Pay-As-You-Go Impact	0	0	0	0	0	0	0	0	0	0	0

Source: Congressional Budget Office.
Note: H.R. 5281 would clarify when certain litigation is moved to federal courts. This legislation would increase the number of cases handled by the federal courts; however, CBO estimates that it would have no significant effect on direct spending by the federal court system.

Mr. DURBIN. Further, I ask unanimous consent that the bill be passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5281), as amended, was read the third time and passed, as follows:

H.R. 5281

Resolved, That the bill from the House of Representatives (H.R. 5281) entitled “An Act to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes.”, do pass with the following amendments:

(1)On page 2, strike lines 8 through 18 and insert the following:

United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by inserting “that is” after “or criminal prosecution”;

(B) by inserting “and that is” after “in a State court”; and

(C) by inserting “or directed to” after “against”; and

(2) by adding at the end the following:

“(c) As used in subsection (a), the terms ‘civil action’ and ‘criminal prosecution’ include any proceeding (whether or not ancillary to another proceeding) to the extent that in such proceeding a judicial order, including a subpoena for testimony or documents, is sought or issued. If removal is sought for a proceeding described in the previous sentence, and there is no other basis for removal, only that proceeding may be removed to the district court.”.

(2)On page 3, strike lines 4 through 19 and insert the following:

“(g) Where the civil action or criminal prosecution that is removable under section 1442(a) is a proceeding in which a judicial order for testimony or documents is sought or issued or sought to be enforced, the 30-day requirement of subsections (b) and (c) is satisfied if the person or entity desiring to remove the proceeding files the notice of removal not later than 30 days after receiving, through service, notice of any such proceeding.”.

(3)On page 3, strike line 23 and all that follows through page 4, line 6, and insert the following:

SEC. 3. PAYGO COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

MEASURE READ THE FIRST TIME—S. 4006

Mr. DURBIN. Mr. President, I understand there is a bill at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 4006) to provide for the use of unobligated discretionary stimulus dollars to address AIDS Assistance Program waiting lists and other cost containment measures impacting State ADAP programs.

Mr. DURBIN. I now ask for the second reading and, in order to place the bill on the calendar under rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read a second time on the next legislative day.

FOR THE RELIEF OF SHIGERU YAMADA

FOR THE RELIEF OF HOTARU NAKAMA FERSCHKE

Mr. DURBIN. Mr. President, I ask unanimous consent the Committee on the Judiciary be discharged from further consideration and the Senate proceed to the en bloc consideration of S. 124 and S. 1774, two private relief bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I ask unanimous consent the amendment at the desk be agreed to, the bills, as amended, if amended, be read a third time and the budgetary pay-go statement be read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

Mr. Conrad: This is the Statement of Budgetary Effects of PAYGO Legislation for S. 1774.

Total Budgetary Effects of S. 1774 for the 5-year Statutory PAYGO Scorecard: \$0.

Total Budgetary Effects of S. 1774 for the 10-year Statutory PAYGO Scorecard: \$0.

Also submitted for the RECORD as part of this statement is a table prepared by the Congressional Budget Office, which provides additional information on the budgetary effects of this Act, as follows:

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR S. 1774, A BILL FOR THE RELIEF OF HOTARU NAKAMA FERSCHKE, WITH AN AMENDMENT (EAS10517) PROVIDED TO CBO ON DECEMBER 2, 2010

	By fiscal year, in millions of dollars—										
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2011–2015
Statutory Pay-As-You-Go Impact	0	0	0	0	0	0	0	0	0	0	0

S. 1774 would make Hotaru Nakama Ferschke eligible for permanent U.S. residence. CBO estimates that it would have no significant effect on direct spending by the Department of Homeland Security or on federal assistance programs.

The amendment (No. 4733) was agreed to, as follows:

(Purpose: To add PAYGO language)
At the end, add the following:

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall